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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
EUGENE DIVISION

DAMEION DOUGLAS,

Plaintiff,

v.

CHAPLIAN KARUNA THOMPSON et. al.,

Defendants.

Case No. 6:20-cv-00546-IM

DECLARATION OF DENNIS
STAHLNECKER IN SUPPORT OF
DEFENDANTS' MOTION FOR SUMMARY
JUDGMENT

I, Dennis Stahlnecker, declare and say:

1. I am employed by Oregon Department of Corrections (ODOC) as a Chaplain at Oregon State Penitentiary (OSP). In that capacity, I am one of the custodians of ODOC's records.

2. I make this declaration from personal knowledge and in reliance on the attached documents, which are regularly kept in the ordinary course of ODOC's operations.

3. I understand that Dameion Douglas, an ODOC adult in custody (AIC), is bringing claims in this lawsuit related to his religious services.

4. I understand that Mr. Douglas brings his claims against—among others—myself and Karuna Thompson, who was a Chaplain at OSP before moving to a different position. I understand that Mr. Douglas alleges that Ms. Thompson and I violated his rights under the United States Constitution and the Religious Land Use and Institutionalized Persons Act with respect to religious services for Nation of Islam (NOI) adherents in two respects: (1) he alleges that he was not provided enough time to complete his NOI Jummah Prayer in OSP's chapel area on October 18, 2019; and (2) he alleges that group NOI Jummah Prayer services were wrongly suspended for 90 days in early 2020.

5. These claims are addressed below.

OCTOBER 18, 2019, NOI JUMMAH PRAYER SERVICE

6. On October 18, 2019, Mr. Douglas and another AIC were in the room at OSP reserved for their Jummah Payer.

7. They were the only people in the room and were very loud, to the point that a religious services volunteer in the next room over politely asked them to be quiet. This had happened before.

8. Ms. Thompson warned Mr. Douglas about the noise and advised that he had 15 minutes to complete his prayer time. Mr. Douglas actually received more than 15 minutes that day before I let him know that his time was up.

9. A copy of Mr. Douglas's prison grievance file related to OSP's October 18, 2019, Jummah Prayer service (Grievance OSP_2019_11_002)—which includes my original response to his grievance—is attached to this declaration as Exhibit 1.

10. As I warned Mr. Douglas in my grievance response dated December 13, 2019, he would be escorted out of OSP's chapel area if he continued to be loud and disruptive during chapel services. *See* Ex. 1, p. 25.

11. I understand that Mr. Douglas reached out to various volunteers whom he thought may have made noise complaints.

12. ODOC has security concerns regarding AICs potentially intimidating religious services volunteers or making them uncomfortable in ODOC institutions, as well as practical concerns. Religious services volunteers may be less inclined to come into our institutions if they are faced with intimidation or the prospect of getting into the middle of AIC disputes.

2020 90-DAY SUSPENSION OF GROUP NOI JUMMAH PRAYER SERVICES

13. On December 31, 2019, due to continued noise issues and coarse language during NOI services, NOI group services were suspended for 90 days.

14. During the temporary suspension, each NOI AIC was provided with the weekly khutba (prayer) so that they could conduct their prayers independently. They were also provided an opportunity to shower at mid-day before saying their prayers. The only suspension was the temporary suspension of the group services that had been causing a disturbance.

15. The 90-day suspension was intended to further the safe and secure operations of OSP's chapel area, and to allow AICs of other faith traditions to conduct services without disruptions from the NOI group service.

16. Excess noise in prison is a security issue because it can potentially drown out cries for help. This issue is exacerbated in the OSP chapel setting, where outside volunteers are often present.

17. Three prison grievances that Mr. Douglas filed related to the 90-day suspension are attached to this declaration. They include: (1) Grievance OSP_2020_01_038 (attached as Exhibit 2); (2) Grievance OSP_2020_02_001 (attached as Exhibit 3); and (3) Grievance OSP_2020_02_016 (attached as Exhibit 4).

18. I provided the original responses to each of these grievances. *See* Ex. 2, pp. 5-6; Ex. 3, pp. 5-6 ; Ex. 4, pp. 5-6.

19. The 90-day suspension—which had been set to run through April 3, 2020—was effectively cut short due to Covid-19 pandemic-related closures, as all group religious services were cancelled at OSP in March of 2020 to contain the spread of the disease.

2019 RAMADAN LIST

20. A copy of Grievance OSP_2019_06_037—which arises out of Mr. Douglas’s allegation that his name was not timely added to OSP’s 2019 Ramadan list (*i.e.*, the list of AICs who received Ramadan accommodations that year) is attached to this declaration as Exhibit 5.

21. I received a copy of Ms. Thompson’s May 3, 2019, email that is appended to her original response to Mr. Douglas’s grievance. *See* Ex. 5, p. 8.

I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED on August 2, 2023.

s/ Dennis Stahlnecker

DENNIS STAHLNECKER

CERTIFICATE OF SERVICE

I certify that on August 7, 2023, I served the foregoing DECLARATION OF DENNIS STAHLNECKER IN SUPPORT OF DEFENDANTS' MOTION FOR SUMMARY JUDGMENT upon the parties hereto by the method indicated below, and addressed to the following:

Dameion Douglas
SID #10131429
Oregon State Penitentiary
2605 State St.
Salem, OR 97301
Pro se Plaintiff

☐ HAND DELIVERY
☒ **MAIL DELIVERY**
☐ OVERNIGHT MAIL
☐ TELECOPY (FAX)
☐ E-MAIL
☐ E-SERVE

s/ Shannon M. Vincent
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